

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 14652 PERMIT 8989 LICENSE 4387

ORDER CHANGING THE PURPOSE OF USE
AND AMENDING THE LICENSE

WHEREAS:

1. License 4387 was issued to State of California, Division of Beaches and Parks, pursuant to Application 14652, and was filed with the County Recorder of Humboldt County on June 8, 1956.
2. The Department of Parks and Recreation, Eel River District, has requested that the purpose of use under the license be corrected from Domestic to Standby Emergency Domestic and Fire Protection.
3. The State Water Resources Control Board (Board) has determined that said change will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said change.
4. License condition pertaining to the continuing authority of the Board should be updated to conform to Section 780(a) of the California Code of Regulations.

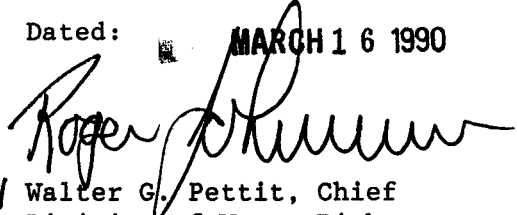
NOW, THEREFORE, IT IS ORDERED THAT:

1. The license condition pertaining to the purpose of use be amended to read:
For purpose of Standby Emergency Domestic and Fire Protection uses. (0000003)
2. A license condition be added to read:
This license is reserved solely for Standby Emergency Domestic and Fire Protection uses and will remain active only upon proper maintenance of the standby diversion system and facilities. (0000003)
3. The license condition pertaining to the continuing authority of the Board be amended to read:
Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated: **MARCH 16 1990**

for 
Walter G. Pettit, Chief
Division of Water Rights

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 14652

PERMIT 8989

LICENSE 4387

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS License 4387 was issued to State of California, Division of Beaches and Parks, and was filed with the County Recorder of Humboldt County on June 8, 1956, and

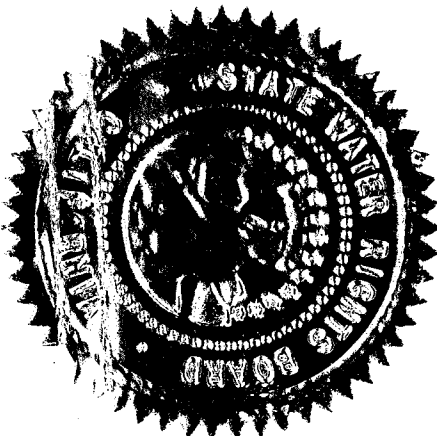
WHEREAS the State Water Rights Board has found that the change in point of diversion under said license for which petition was submitted on April 9, 1964, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said point of diversion in accordance with said petition;

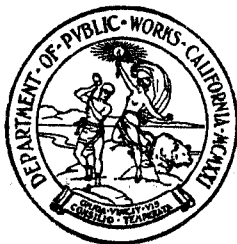
NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said License 4387 to a point of diversion described as follows, to wit:

SOUTH SIX DEGREES WEST (S6°W) TWO THOUSAND SIX HUNDRED FIFTY (2650) FEET FROM NE CORNER OF SECTION 14, T5S, R3E, HB&M, BEING WITHIN SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SAID SECTION 14.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 21st day of August, 1964



L. K. Hill
L. K. Hill
Executive Officer



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 11652

PERMIT 8989

LICENSE 4387

THIS IS TO CERTIFY, That State of California, Division of Beaches and Parks
P. O. Box 2390
Sacramento 11, California
has made proof as of August 20, 1954,
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
Durphy Creek in Humboldt County

tributary to South Fork Eel River

for the purpose of domestic use
under Permit 8989 of the Department of Public Works and that said right to the use of said water has
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from January 22, 1952;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed forty-six thousandths
(0.046) cubic foot per second to be diverted from January 1 to December 31 of
each year.

The point of diversion of such water is located south four hundred (400) feet and west
three thousand three hundred twenty (3,320) feet from E1/4 corner of Section 14,
T5S, R3E, HB&M, being within NE1/4 of SW1/4 of said Section 14.

A description of the lands or the place where such water is put to beneficial use is as follows:

Richardson Grove State Park within NW1/4 of NW1/4, SW1/4 of NW1/4, SE1/4 of
NW1/4, and NW1/4 of SW1/4 of Section 13, T5S, R3E, HB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water
erted are subject to the continuing authority of the Department acting through the State Engineer in accordance
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.



Witness my hand and the seal of the Department of Public
Works of the State of California, this 21st
day of May, 1956

HARVEY O. BANKS, State Engineer

By

L. C. Jopson
L. C. JOPSON
Assistant State Engineer

LICENSE 1387

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO State of California
Division of Beaches & Parks
DATED MAY 21 1956